

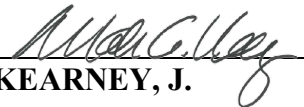
IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

HEATHER RICHARDS	:	CIVIL ACTION
	:	
v.	:	NO. 21-675
	:	
ALTERNATIVE COUNSELING	:	
ASSOCIATES, INC., <i>et al.</i>	:	

ORDER

AND NOW, this 4th day of October 2021, upon counsel reporting in the attached letter they resolved their claims but request our continuing jurisdiction although the federal question is resolved and we have no further basis to exercise our limited jurisdiction to enforce a contract obligation, it is **ORDERED**:

1. This action is **DISMISSED with prejudice** under Local Rule of Civil Procedure 41.1(b);¹
2. The Clerk of Court shall mark this matter **CLOSED**; and,
3. We decline to exercise jurisdiction to enforce contract terms not otherwise within our subject matter jurisdiction beyond the scope of this dismissal.


KEARNEY, J.

¹ Local Rule 41.1(b) provides:

[a]ny such order of dismissal may be vacated, modified, or stricken from the record, for cause shown, upon the application of any party served within ninety (90) days of the entry of such order of dismissal, provided the application of the ninety-day time limitation is consistent with Federal Rule of Civil Procedure 60(c).



October 1, 2021

VIA ELECTRONIC MAIL

The Honorable Mark A. Kearney
United States District Court
Eastern District of Pennsylvania
6613 U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1757

Re: Heather Richards v. Alternative Counseling Associates, Inc., et al.
Civil Action No. 2:21-cv-00675

Dear Judge Kearney:

I write in connection with the above captioned matter on behalf of the Parties to inform the Court that the Parties have reached an amicable resolution of this matter.

One of the terms of the agreement is that settlement monies will be paid out in monthly installments over the course of a year. Accordingly, the Parties would respectfully request that the Court enter an extended 41.1(b) Order wherein the Court retains jurisdiction over the settlement until the final payment of the agreement has been made. This protects the Parties in the event of a breach or non-payment.

We thank your Honor for your kind consideration of our request,

Respectfully Submitted,

DEREK SMITH LAW GROUP, PLLC

By: /s/ Erica A. Shikunov
Erica A. Shikunov, Esquire
1835 Market Street, Suite 2950
Philadelphia, PA 19103
Tel: (215) 391-4790
erica@dereksmithlaw.com
Attorneys for Plaintiff

Cc: William Brogley, Esq. <wpb@williambrogley.com>